

STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
BOARD OF EXAMINERS OF  
ELECTRICAL CONTRACTORS

IN THE MATTER OF THE  
LICENSE OF

TEMPLE GIBBS  
License #10208

TO PRACTICE ELECTRICAL  
CONTRACTING IN THE STATE  
OF NEW JERSEY

Administrative Action

FINAL ORDER  
OF DISCIPLINE

This matter was opened to the New Jersey State Board of Examiners of Electrical Contractors ( "the Board") upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Respondent is a licensed electrical contractor in the State of New Jersey, and has been a licensee at all times relevant hereto.

2. Pursuant to a Final Order entered on June 6, 2002, the terms of which were agreed to by respondent, respondent was required to furnish a good faith response in writing within ten (10) days to any Board inquiry concerning complaints about his work. Failure to comply with this provision was, upon 30 days notice, to subject respondent to revocation or any lesser penalty that the Board deemed appropriate. Respondent was to remain subject to this Order for a period of five years.

3. A letter dated September 23, 2005 was sent to respondent requesting that

respondent forward to the Board a copy of a permit and final inspection certificate for certain electrical work performed by respondent in Hillside about which there had been a consumer complaint. The letter was sent by certified and regular mail to respondent's address of record. Certified mail was returned unclaimed. Regular mail was not returned. No response was received.

4. A letter dated December 2, 2005 was sent to respondent by certified and regular mail reminding respondent of his duty as a licensee to cooperate with Board investigations, and enclosing a copy of the September 23, 2005 communication. The letter was sent to respondent's address of record. Certified mail was returned unclaimed. Regular mail was not returned. No response was received.

5. On February 3, 2006, a letter was sent to respondent by certified and regular mail, as well as by overnight mail. Certified mail was returned unclaimed. Regular mail was not returned. Overnight mail was delivered. The letter advised respondent to either furnish a copy of the permit and inspection for the work performed at Hillside, or to explain in writing why he could not do so. Respondent was specifically advised to forward his response to the attention of Barbara A. Cook, Executive Director of the Board.

6. Although respondent promised verbally to furnish a copy of the final inspection, and faxed an illegible document to a Board staff member, respondent did not furnish an appropriate response to the Board.

#### CONCLUSIONS OF LAW

1. Respondent's failure to reply to the Board's requests for information constitutes a failure to cooperate with a Board investigation, in violation of N.J.A.C.

13:45C-1.2, -1.3, subjecting respondent to sanctions pursuant to N.J.S.A. 45:1-21(e).

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on May 3, 2006, suspending respondent's license until he replied to the Board's previous requests for information, and imposing a civil penalty in the amount of \$500.00 for respondent's violation of N.J.A.C. 13:45C-1.2, -1.3. A copy of the Order was forward to respondent by certified and regular mail at his address of record at 16 Manitou Way, Scotch Plains, NJ. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30<sup>th</sup> business day following entry unless respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

The certified mail was returned unclaimed. The regular mail was not returned. Inasmuch as the Order was sent to respondent's address of record, the Board deems service to have been effected. No written response has been received by the Board. The Board has thus determined that further proceedings were not necessary and that the Provisional Order should be made final.

ACCORDINGLY, IT IS on this 6<sup>th</sup> day of Sept, 2006

ORDERED that:

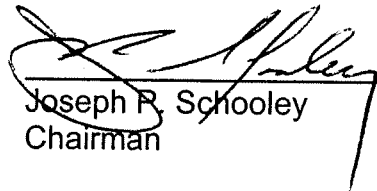
1. A civil penalty in the amount of \$500 is hereby imposed upon respondent for his violation of N.J.A.C. 13:45C-1.2, -1.3. Payment shall be made in the form of a certified check, money order or attorney trust account check made payable to the State

of New Jersey, and forwarded to the attention of Barbara A. Cook, Executive Director, Board of Examiners of Electrical Contractors, P.O. Box 45006, 124 Halsey Street, Sixth Floor, Newark, NJ 07101. Payment shall be due within twenty one (21) days of receipt of this Order.

2. Respondent is hereby suspended until he replies to the Board's communications..

3. Respondent is advised that pursuant to N.J.A.C. 13:31-3.3, a licensee who is suspended is required to immediately return to the Board his or her pressure seal.

STATE BOARD OF EXAMINERS  
OF ELECTRICAL CONTRACTORS



Joseph P. Schooley  
Chairman